

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI

UNITED STATES OF AMERICA

V.

CAUSE NO.: 1:11CR114-SA

JAMES WILLIAM SMITH

DEFENDANT

ORDER ON MOTION TO VIEW COMPUTER FILES

Defendant James William Smith has filed a request to have a new expert view the computer hard drive at issue in this case for sentencing purposes [116]. The Government does not object to the second expert's viewing of the hard drive.

Therefore, the Government shall allow Defendant's new expert to access and inspect the hard drive at the Tupelo Police Department. Defendant is to give the Government five days' notice as to when the expert can come to Tupelo and inspect the hard drive. The inspection must be completed within thirty days of the date of this order so as not to delay sentencing. Defendant is warned that failure to accomplish the inspection within thirty days will constitute a waiver of this second opportunity to inspect.

The Court also admonishes Defendant's counsel for failing to consult with the Government prior to filing this motion.

Accordingly, the Defendant's Motion to View Computer Hard Drive [116] is GRANTED IN PART and DENIED IN PART.

SO ORDERED, this the 14th day of April, 2014.

/s/ Sharion Aycock
U.S. DISTRICT JUDGE